

BEFORE

THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

DOCKET NO. 90-395-T - ORDER NO. 91-85

FEBRUARY 7, 1991

IN RE: Application of Robert E. Brizendine, )  
Trustee of the Bankrupt Estate of Brown )  
Transport Truckload, Inc., 125 Milton ) ORDER  
Avenue, SE, Atlanta, GA. 30315, to ) GRANTING  
Transfer Class E Certificate No. 8023 to ) MOTION TO  
Averitt Express, Inc., 518 Old Kentucky ) PRODUCE  
Road, P. O. Box 3166, Cookeville, )  
TN 38501-3166. )

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a Motion to Produce (the Motion), filed by Southeastern Freight Lines (the Intervenor), whereby the Intervenor moves the Commission to require Robert E. Brizendine, Trustee of the Bankrupt Estate of Brown Transport Truckload, Inc. (the Applicant) to provide the Intervenor with copies of all exhibits, charts, and documents which the Applicant intends to produce at the hearing, within ten (10) days prior to the date of such hearing.

The Commission has considered the Motion of the Intervenor and finds such to be within the province of discovery in this proceeding. Further, the Commission notes that there has been no Return to the Motion filed. Therefore, the Commission is of the opinion, and so finds, that the Intervenor's Motion to Produce should be granted.

IT IS THEREFORE ORDERED:

1. That the Motion to Produce filed by the Intervenor be,  
and hereby is, granted.


2. That the Applicant make available to the Intervenor the  
materials referred to in the Motion to Produce within ten (10) days  
prior to the commencement of the hearing.

3. That this Order shall remain in full force and effect  
until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)